

## Sims, Mark

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**From:** Lieben, Ivan  
**Sent:** Friday, September 27, 2013 2:08 PM  
**To:** jluckhardt@downeybrand.com  
**Cc:** Sims, Mark  
**Subject:** Review of submitted Blue Lake Power documents

Dear Jane:

After an initial review of Blue Lake Power's September 13 and September 23 responses to EPA's July 16, 2013 information request, we have determined that the responses to Requests #19 and #20 do not appear to be complete and seek the following additional information/details:

- Request #19 requires that Blue Lake Power provide with specificity in a chart form, a list of each and every individual project with a cost of greater than \$5,000. There are a number of items of information that must be included in that chart, including the date construction commenced on the project, the project description, the in-service date, etc. While Blue Lake did provide a chart as part of its September 23 submittal that it claimed to be responsive to this Request and identified projects that totaled over \$6,000,000 in cost, the chart did not contain any of the specificity required by the Request. Projects were grouped on an annual basis (rather than on a per project basis), had no description of the work performed, and were grouped by facility or process unit rather than individual projects. As part of its next deliverable on October 23, Blue Lake Power shall conform its response for this Request to include a chart with the required specificity and detail.
- Request #20 requires the submittal of various documents, including contracts, approvals, purchase orders, engineering studies, etc., associated with the projects identified in response to Request #19 with a cost of over \$25,000. While Blue Lake Power identified over \$6,000,000 spent from 2008-2010 on projects in response to Request #19, it provided a single 2008 contract that covers only around \$1,000,000 of work in its response to Request #20. Given the magnitude of the work performed and the large costs expended on these projects, EPA believes that there must be additional responsive documentation pertaining to the identified projects. Please ensure that Blue Lake Power diligently searches and provides all information and documents in its, its employees', and/or its contractors' control and/or possession responsive to Request #20 as part of its October 23 submittal.

As a reminder, Blue Lake Power has an affirmative duty to respond completely, fully and timely to the Section 114 information request, as modified by the August 16 email from Mr. Mark Sims to Mr. Glenn Zane, and any failure to do so could subject Blue Lake Power to penalties, an order to comply, or other appropriate relief under the Clean Air Act. Nothing in this email limits EPA from identifying additional deficiencies in any of Blue Lake Power's responsive submittals to the information request. We look forward to receiving Blue Lake Power's next and final submittal of responsive documents postmarked no later than October 23.

Sincerely yours,

Ivan Lieben, Assistant Regional Counsel  
U.S. EPA Region 9, 75 Hawthorne Street  
San Francisco, CA 94105  
(415) 972-3914

This email, including attachments, may contain information that is confidential and/or protected by the attorney/client or other privileges.

## Sims, Mark

---

**From:** Lieben, Ivan  
**Sent:** Thursday, September 12, 2013 10:58 AM  
**To:** jluckhardt@downeybrand.com  
**Cc:** Sims, Mark; Salazar, Matt  
**Subject:** RE: Blue Lake Power Section 114 Request for Information

Jane:

After checking with the client program, EPA approves the request for the additional extension of time for Phase I of Blue Lake Power's response to the Section 114 Request for Information, as described below. While we typically do not provide second extensions, we view it as justified here given the medical emergency in Mr. Zane's family. We request that Blue Lake do all it can to meet the current response schedule, however.

Regards,

Ivan Lieben

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**From:** Luckhardt, Jane <JLuckhardt@DowneyBrand.com>  
**Sent:** Thursday, September 12, 2013 10:38 AM  
**To:** Lieben, Ivan  
**Subject:** Blue Lake Power Section 114 Request for Information

Ivan – I am writing to request an extension on the date to provide responses to questions 17, 19 and 20 due to the United States Environmental Protection Agency (EPA) on Friday, September 13, 2013. Blue Lake Power is able to provide responses to all of the other questions due on Friday, September 13, 2013. Unfortunately, Glenn Zane, who is the individual at Blue Lake Power preparing and vouching for the responses, has had a medical emergency with his wife that requires his immediate attention. Based upon the information we have at this time, Glenn Zane believes he will be able to complete the responses to questions 17, 19 and 20 by September 23, 2013. Please confirm that the revised submission date for responses to questions 17, 19 and 20 will be acceptable to EPA.

We appreciate your understanding of this unfortunate situation.

Jane

Jane E. Luckhardt

**DOWNEY | BRAND**  
ATTORNEYS LLP

621 Capitol Mall, 18th Floor  
Sacramento, CA 95814  
916-444-1000 Main  
916-520-5348 Direct  
916-520-5748 Fax  
JLuckhardt@DowneyBrand.com  
www.downeybrand.com

**CONFIDENTIALITY NOTICE:** This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney-client privilege as to this communication or otherwise. **If you have received this communication in error**, please contact our IS Department at its Internet email address ([is@downeybrand.com](mailto:is@downeybrand.com)), or by telephone at (916)444-1000 x5325. Thank you.

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## Sims, Mark

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**From:** Kelly, Shaheerah  
**Sent:** Wednesday, August 21, 2013 12:07 PM  
**To:** Kelly, ThomasP  
**Cc:** GILLEN, CARA;Sims, Mark;Aquitania, Manny  
**Subject:** FW: NorCal Biomass Plants

FYI – Below is a helpful link of the biomass plants in CA.

I do not have a contact for Sierra Pacific Quincy but have asked others.

\*\*\*\*\*

Shaheerah Kelly  
U.S. Environmental Protection Agency, Region 9  
Permits Office, Air Division  
San Francisco, CA 94105  
Phone: 415-947-4156  
Fax: 415-947-3579  
Email: [kelly.shaheerah@epa.gov](mailto:kelly.shaheerah@epa.gov)

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**From:** Sims, Mark  
**Sent:** Wednesday, August 21, 2013 10:26 AM  
**To:** Kelly, Shaheerah; Aquitania, Manny  
**Subject:** NorCal Biomass Plants

Good link!

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**From:** Zabel, Allan  
**Sent:** Wednesday, August 21, 2013 10:05 AM  
**To:** Sims, Mark; Salazar, Matt  
**Subject:** RE: A Nice Table Listing NorCal Biomass Plants

Try this link. Looks interesting.

[http://ucanr.edu/sites/WoodyBiomass/Woody Biomass Utilization 2/California Biomass Power Plants/](http://ucanr.edu/sites/WoodyBiomass/Woody_Biomass_Utilization_2/California_Biomass_Power_Plants/)

Allan Zabel  
Chief, Air & Toxics Section II  
Office of Regional Counsel  
EPA Region 9  
415-972-3902

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**From:** Sims, Mark  
**Sent:** Wednesday, August 21, 2013 9:46 AM  
**To:** Salazar, Matt; Zabel, Allan  
**Subject:** A Nice Table Listing NorCal Biomass Plants

fyi

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**From:** Sims, Mark  
**Sent:** Wednesday, August 21, 2013 8:58 AM  
**To:** Kelly, Shaheerah; Aquitania, Manny  
**Subject:** Where's Blue Lake Power?

Where's Blue Lake Power? Not on the chart. (Blue Lake, Humboldt County, 10 MW)

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**From:** Kelly, Shaheerah  
**Sent:** Wednesday, August 21, 2013 8:53 AM  
**To:** Aquitania, Manny; Sims, Mark  
**Subject:** FW: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Hi.

Do you happen to have a contact for the Sierra Pacific Quincy facility that I can provide to Tom?

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**From:** Kelly, ThomasP  
**Sent:** Wednesday, August 21, 2013 8:45 AM  
**To:** Kelly, Shaheerah  
**Cc:** GILLEN, CARA  
**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

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Tom Kelly  
Environmental Review Office (CED-2)  
U.S. EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

(415) 972-3856

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**From:** GILLEN, CARA  
**Sent:** Wednesday, August 21, 2013 8:23 AM  
**To:** Kelly, Shaheerah; Kelly, ThomasP  
**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

This is good to know. Thanks Shaheerah!

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Cara Gillen  
Clean Energy and Climate Change Office  
U.S. Environmental Protection Agency  
Pacific Southwest Region  
San Francisco, California  
415-972-3382- Phone  
[gillen.cara@epa.gov](mailto:gillen.cara@epa.gov)

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**From:** Kelly, Shaheerah  
**Sent:** Wednesday, August 21, 2013 8:10 AM  
**To:** Kelly, ThomasP; GILLEN, CARA  
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Sierra Pacific Burney	Burney	20
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**From:** Kelly, ThomasP  
**Sent:** Friday, August 16, 2013 3:59 PM  
**To:** GILLEN, CARA  
**Cc:** Kelly, Shaheerah  
**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Thanks Cara. I'll try the website next week. I should have also mentioned that I have contacted the California Energy Commission to ask if they're aware of biomass facilities nearby. While the person promised to look into it, he's been really slow in responding.

Tom Kelly  
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**Sent:** Friday, August 16, 2013 3:55 PM  
**To:** Kelly, ThomasP; Kelly, Shaheerah  
**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Hi Tom,

That is an interesting question and I'm sure there are probably other biomass facilities somewhat nearby. I do know that there have been changes in the regulations surrounding biomass facilities for burning, so that might have prompted some of them to close. I'm not sure.

I have cc'd Shaheerah Kelly in our Air Division, as she works on biomass facilities and might know more in terms of where the facilities are and if there is a directory. The other source that might have good information is Cal Recycle, the state waste board. For some reason the website is not working for me right now, but you can search for biomass facilities at [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov)

I hope this helps. Please let me know if I can answer any more questions.

Thanks,  
Cara

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[gillen.cara@epa.gov](mailto:gillen.cara@epa.gov) (Please note new email address)

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**Sent:** Friday, August 16, 2013 2:52 PM  
**To:** GILLEN, CARA  
**Subject:** Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

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## Sims, Mark

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**From:** Kelly, Shaheerah  
**Sent:** Wednesday, August 21, 2013 11:57 AM  
**To:** Sims, Mark; Aquitania, Manny  
**Subject:** RE: Where's Blue Lake Power?

These are the only plants I have that are in or near Humboldt County. Is Blue Lake a new facility?

Fairhaven Power	Samoa	19
Pacific Lumber	Scotia	33

\*\*\*\*\*

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**From:** Sims, Mark  
**Sent:** Wednesday, August 21, 2013 8:58 AM  
**To:** Kelly, Shaheerah; Aquitania, Manny  
**Subject:** Where's Blue Lake Power?

Where's Blue Lake Power? Not on the chart. (Blue Lake, Humboldt County, 10 MW)

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**To:** Aquitania, Manny; Sims, Mark  
**Subject:** FW: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Hi.

Do you happen to have a contact for the Sierra Pacific Quincy facility that I can provide to Tom?

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**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

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**From:** GILLEN, CARA  
**Sent:** Wednesday, August 21, 2013 8:23 AM  
**To:** Kelly, Shaheerah; Kelly, ThomasP  
**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

This is good to know. Thanks Shaheerah!

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I hope this helps. Please let me know if I can answer any more questions.

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Chief, Air & Toxics Section II  
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(415) 972-3856

---

**From:** GILLEN, CARA

**Sent:** Friday, August 16, 2013 3:55 PM

**To:** Kelly, ThomasP; Kelly, Shaheerah

**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Hi Tom,

That is an interesting question and I'm sure there are probably other biomass facilities somewhat nearby. I do know that there have been changes in the regulations surrounding biomass facilities for burning, so that might have prompted some of them to close. I'm not sure.

I have cc'd Shaheerah Kelly in our Air Division, as she works on biomass facilities and might know more in terms of where the facilities are and if there is a directory. The other source that might have good information is Cal Recycle, the state waste board. For some reason the website is not working for me right now, but you can search for biomass facilities at [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov)

I hope this helps. Please let me know if I can answer any more questions.

Thanks,  
Cara

---

Cara Gillen  
Clean Energy and Climate Change Office  
U.S. Environmental Protection Agency  
Pacific Southwest Region  
San Francisco, California  
415-972-3382- Phone  
[gillen.cara@epa.gov](mailto:gillen.cara@epa.gov) (Please note new email address)

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---

**From:** Kelly, ThomasP

**Sent:** Friday, August 16, 2013 2:52 PM

**To:** GILLEN, CARA

**Subject:** Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Jean Prijatel suggested I discuss a problem with you. The Plumas National Forest is planning a fuels management project (thinning the forest and creating defensible fire breaks). They would very much like to transport biomass debris to a facility that could burn it for energy recovery. They indicated that a nearby facility, Covanta in Oroville, has closed. The project is located close to the town of La Porte, California. Do you know of any other facilities they might be able to use? They thought the limit for cost effective transportation was about 50 miles, but I don't know how they came up with that.

Tom Kelly

Environmental Review Office (CED-2)

U.S. EPA Region 9

75 Hawthorne Street

San Francisco, CA 94105

(415) 972-3856

## Sims, Mark

---

**From:** Zabel, Allan  
**Sent:** Wednesday, August 21, 2013 10:05 AM  
**To:** Sims, Mark; Salazar, Matt  
**Subject:** RE: A Nice Table Listing NorCal Biomass Plants

Try this link. Looks interesting.

[http://ucanr.edu/sites/WoodyBiomass/Woody\\_Biomass\\_Utilization\\_2/California\\_Biomass\\_Power\\_Plants/](http://ucanr.edu/sites/WoodyBiomass/Woody_Biomass_Utilization_2/California_Biomass_Power_Plants/)

Allan Zabel  
Chief, Air & Toxics Section II  
Office of Regional Counsel  
EPA Region 9  
415-972-3902

---

**From:** Sims, Mark  
**Sent:** Wednesday, August 21, 2013 9:46 AM  
**To:** Salazar, Matt; Zabel, Allan  
**Subject:** A Nice Table Listing NorCal Biomass Plants

fyi

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**From:** Sims, Mark  
**Sent:** Wednesday, August 21, 2013 8:58 AM  
**To:** Kelly, Shaheerah; Aquitania, Manny  
**Subject:** Where's Blue Lake Power?

Where's Blue Lake Power? Not on the chart. (Blue Lake, Humboldt County, 10 MW)

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**Sent:** Wednesday, August 21, 2013 8:53 AM  
**To:** Aquitania, Manny; Sims, Mark  
**Subject:** FW: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Hi.

Do you happen to have a contact for the Sierra Pacific Quincy facility that I can provide to Tom?

\*\*\*\*\*

Shaheerah Kelly  
U.S. Environmental Protection Agency, Region 9  
Permits Office, Air Division  
San Francisco, CA 94105  
Phone: 415-947-4156  
Fax: 415-947-3579  
Email: [kelly.shaheerah@epa.gov](mailto:kelly.shaheerah@epa.gov)

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**From:** Kelly, ThomasP  
**Sent:** Wednesday, August 21, 2013 8:45 AM

**To:** Kelly, Shaheerah  
**Cc:** GILLEN, CARA  
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**From:** Kelly, ThomasP  
**Sent:** Friday, August 16, 2013 3:59 PM  
**To:** GILLEN, CARA  
**Cc:** Kelly, Shaheerah  
**Subject:** RE: Do You Know of any Biomass Facilities in the Sierra Foothills of N. California?

Thanks Cara. I'll try the website next week. I should have also mentioned that I have contacted the California Energy Commission to ask if they're aware of biomass facilities nearby. While the person promised to look into it, he's been really slow in responding.

Tom Kelly

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## **Sims, Mark**

---

**From:** Salazar, Matt  
**Sent:** Friday, August 16, 2013 2:36 PM  
**To:** Sims, Mark  
**Subject:** Automatic reply: Modifications to EPA's CAA 114 Information Request to Blue Lake Power

Howdy,

I will be out of the office on the afternoon on August 13th and returning Monday August 19th. Chalres Aldred 23986 is actiing Tues/Wed and Mark Sims 23965 is acting Thursd/Fri. Thank you.



## Sims, Mark

---

**From:** Sims, Mark  
**Sent:** Friday, August 16, 2013 2:36 PM  
**To:** Salazar, Matt  
**Subject:** FW: Modifications to EPA's CAA 114 Information Request to Blue Lake Power

Matt,

fyi. Since both you and Joel were out, I briefed Amy Miller about this yesterday.

Mark  
2-3965

---

**From:** Glenn Zane [mailto:gzane@CRSINET.COM]  
**Sent:** Friday, August 16, 2013 1:31 PM  
**To:** Sims, Mark  
**Cc:** jluckhardt@downeybrand.com; Joel Lepoutre; Robert Escalante; Steven Tenenbayev  
**Subject:** Re: Modifications to EPA's CAA 114 Information Request to Blue Lake Power

Mark:  
Thank you for the email, I have forwarded it to the others in our group.

Glenn

Glenn Zane  
Continental Resource Solutions Inc.  
1615 Continental Street, Suite 100  
Redding, CA 96001

530-246-2455 - Office  
530-515-7007 - Cell  
[gzane@crsinet.com](mailto:gzane@crsinet.com)

---

**From:** <Sims>, Mark <[Sims.Mark@epa.gov](mailto:Sims.Mark@epa.gov)>  
**Date:** Friday, August 16, 2013 9:46 AM  
**To:** Glenn Zane <[gzane@crsinet.com](mailto:gzane@crsinet.com)>  
**Cc:** "Lieben, Ivan" <[Lieben.Ivan@epa.gov](mailto:Lieben.Ivan@epa.gov)>  
**Subject:** Modifications to EPA's CAA 114 Information Request to Blue Lake Power

Hi Glenn,

Thank you for the call we had on Tuesday. As a result of the call, EPA makes the following modifications to its July 16, 2013, CAA 114 information request to Blue Lake Power (unless modified pursuant to this e-mail, the original terms and conditions of the information request remain effective):

1. EPA will extend the date for BLP's initial response to the information request to September 13, 2013. This applies to all responses unless specified in this e-mail as otherwise being due on October 23, 2013.
2. BLP is NOT required to BATES stamp any of the responsive documents.

3. While it still must submit all documents as pdfs, BLP is NOT required to make any of the documents searchable.
4. For request #1, BLP is NOT required to provide to EPA a copy of the sales contract.
5. For requests #2 and #3, BLP shall provide both the date of initial startup of the boiler and the date the facility began commercial operation.
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Feel free to contact me at any time if you have any questions or have your attorney contact Ivan Lieben at 415-972-3914. Thanks again,

Mark Sims  
Environmental Engineer  
Air Enforcement Office (ENF-2-1)  
U.S. EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
415-972-3965

## Sims, Mark

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**From:** Sims, Mark  
**Sent:** Friday, August 16, 2013 1:56 PM  
**To:** Lieben, Ivan  
**Subject:** FW: Modifications to EPA's CAA 114 Information Request to Blue Lake Power (BLP Receipt)

fyi

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**From:** Glenn Zane [mailto:gzane@CRSINET.COM]  
**Sent:** Friday, August 16, 2013 1:31 PM  
**To:** Sims, Mark  
**Cc:** jluckhardt@downeybrand.com; Joel Lepoutre; Robert Escalante; Steven Tenenbayev  
**Subject:** Re: Modifications to EPA's CAA 114 Information Request to Blue Lake Power

Mark:  
Thank you for the email, I have forwarded it to the others in our group.

Glenn

Glenn Zane  
Continental Resource Solutions Inc.  
1615 Continental Street, Suite 100  
Redding, CA 96001

530-246-2455 - Office  
530-515-7007 - Cell  
[gzane@crsinet.com](mailto:gzane@crsinet.com)

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**From:** <Sims>, Mark <[Sims.Mark@epa.gov](mailto:Sims.Mark@epa.gov)>  
**Date:** Friday, August 16, 2013 9:46 AM  
**To:** Glenn Zane <[gzane@crsinet.com](mailto:gzane@crsinet.com)>  
**Cc:** "Lieben, Ivan" <[Lieben.Ivan@epa.gov](mailto:Lieben.Ivan@epa.gov)>  
**Subject:** Modifications to EPA's CAA 114 Information Request to Blue Lake Power

Hi Glenn,

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San Francisco, CA 94105  
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Glenn

Glenn Zane  
Continental Resource Solutions Inc.  
1615 Continental Street, Suite 100  
Redding, CA 96001

530-246-2455 - Office  
530-515-7007 - Cell  
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**Date:** Friday, August 16, 2013 9:46 AM  
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**Cc:** "Lieben, Ivan" <[Lieben.Ivan@epa.gov](mailto:Lieben.Ivan@epa.gov)>  
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75 Hawthorne Street  
San Francisco, CA 94105  
415-972-3965

## Sims, Mark

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**From:** Sims, Mark  
**Sent:** Friday, August 16, 2013 9:47 AM  
**To:** gzane@crsinet.com  
**Cc:** Lieben, Ivan  
**Subject:** Modifications to EPA's CAA 114 Information Request to Blue Lake Power

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